

EXHIBIT 1
TO RENEWED
MOTION TO SEAL

From: [Charles M. Rosson](#)
To: [Geraldine W. Young](#); [Elisa Wulfsberg](#); [Noah Heinz](#); [Zeke DeRose III](#)
Cc: [Michael Davis](#); [Hunsberger, James K.](#); [Marc B. Collier](#); [Andrew.Ewalt](#)
Subject: RE: Renewed Motion to Seal Google's Motion to Strike and Related Briefing (re: ECF 689) -- Redacted Materials
Date: Friday, December 13, 2024 5:54:33 PM

Understood. We will note that.

Best,
Charles

Charles M. Rosson | Gibbs & Bruns LLP | 1100 Louisiana Suite 5300 | Houston, Texas 77002
main: 713.650.8805 | direct: 713.751.5277 | www.gibbsbruns.com | crosson@gibbsbruns.com

From: Geraldine W. Young <geraldine.young@nortonrosefulbright.com>
Sent: Friday, December 13, 2024 5:47 PM
To: Charles M. Rosson <CRosson@gibbsbruns.com>; Elisa Wulfsberg <ewulfsberg@gibbsbruns.com>; Noah Heinz <noah.heinz@kellerpostman.com>; Zeke DeRose III <zeke.derose@lanierlawfirm.com>
Cc: Michael Davis <MDavis@gibbsbruns.com>; Hunsberger, James K. <jhunsberger@axinn.com>; Marc B. Collier <marc.collier@nortonrosefulbright.com>; Andrew.Ewalt <Andrew.Ewalt@freshfields.com>
Subject: Re: Renewed Motion to Seal Google's Motion to Strike and Related Briefing (re: ECF 689) -- Redacted Materials

External Sender

You can note our position in your motion as: neither opposed nor unopposed because the information at issue is not that of the States, but we do not believe the sealing standard has been met.

Thanks, Geraldine

From: Charles M. Rosson <Crosson@gibbsbruns.com>
Sent: Friday, December 13, 2024 5:27:25 PM
To: Geraldine W. Young <geraldine.young@nortonrosefulbright.com>; Elisa Wulfsberg <ewulfsberg@gibbsbruns.com>; Noah Heinz <noah.heinz@kellerpostman.com>; Zeke DeRose III <zeke.derose@lanierlawfirm.com>
Cc: Michael Davis <mdavis@gibbsbruns.com>; EWALT, Andrew (AJE) <Andrew.Ewalt@freshfields.com>; Hunsberger, James K. <jhunsberger@axinn.com>; Marc B. Collier <marc.collier@nortonrosefulbright.com>
Subject: RE: Renewed Motion to Seal Google's Motion to Strike and Related Briefing (re: ECF 689) -- Redacted Materials

Geraldine,

We believe that because the States' filing included information that was designated confidential under the Protective Order [Dkt. 182, paragraph 20], the States are required to move to seal. That said, we acknowledge the States' position below. Thus, we will be moving to seal materials within Google's motion to strike, the States' response, and Google's reply that we believe meet the Court's sealing requirements. We have previously indicated which portions of the States' response and attachment we believe should be sealed (Elisa's email of December 12 at 2:26 pm in this thread), and those are the portions we will include in our motion.

Please indicate whether the States are opposed to Google's motion to seal. Many thanks.

Best,
Charles

Charles M. Rosson | Gibbs & Bruns LLP | 1100 Louisiana Suite 5300 | Houston, Texas 77002
main: 713.650.8805 | direct: 713.751.5277 | www.gibbsbruns.com | crosson@gibbsbruns.com

From: Geraldine W. Young <geraldine.young@nortonrosefulbright.com>
Sent: Friday, December 13, 2024 4:46 PM
To: Elisa Wulfsberg <ewulfsberg@gibbsbruns.com>; Noah Heinz <noah.heinz@kellerpostman.com>; Zeke DeRose III <zeke.derose@lanierlawfirm.com>
Cc: Charles M. Rosson <CRosson@gibbsbruns.com>; Michael Davis <MDavis@gibbsbruns.com>; EWALT, Andrew (AJE) <Andrew.Ewalt@freshfields.com>; Hunsberger, James K. <jhunsberger@axinn.com>; Marc B. Collier <marc.collier@nortonrosefulbright.com>
Subject: RE: Renewed Motion to Seal Google's Motion to Strike and Related Briefing (re: ECF 689) -- Redacted Materials

External Sender

Elisa - The States will not be filing a renewed motion to seal because believe these materials should be part of the public record. Thanks, Geraldine

From: Elisa Wulfsberg <ewulfsberg@gibbsbruns.com>
Sent: Thursday, December 12, 2024 2:26 PM
To: Geraldine W. Young <geraldine.young@nortonrosefulbright.com>; Noah Heinz <noah.heinz@kellerpostman.com>; Zeke DeRose III <zeke.derose@lanierlawfirm.com>
Cc: Charles M. Rosson <CRosson@gibbsbruns.com>; Michael Davis <mdavis@gibbsbruns.com>; EWALT, Andrew (AJE) <Andrew.Ewalt@freshfields.com>; Hunsberger, James K. <jhunsberger@axinn.com>
Subject: Renewed Motion to Seal Google's Motion to Strike and Related Briefing (re: ECF 689) -- Redacted Materials

External Email - Use Caution

Counsel,

In accordance with the Court's order on November 27 (ECF 689), Google plans to file a renewed motion to seal its motion to strike briefing (ECF 613, 628), and the attached exhibits. Given that the Court's order might be read to anticipate the renewed motion to seal filings by December 13 (rather than December 16), we intend to file tomorrow.

The Court also permitted the States to file a renewed motion to seal their response to Google's motion to strike (ECF 625), and the attachments to the States' response, one of which is Dr. John Chandler's expert report. Because Google already filed a redacted version of Dr. Chandler's report earlier this week (ECF 699-31), I have attached that redacted report here for the States' convenience. Google also has redacted its sealable material from the States' response, which I have attached here as well.

Please let us know if you would like Google to file these documents with Google's renewed motion to seal, or if the States will be filing a renewed motion separately. Also, please let us know if there is any material in Google's motion to strike or reply (or the attachments) that the States desire we redact.

Best,
Elisa

Elisa Wulfsberg

Gibbs & Bruns LLP

1100 Louisiana | Suite 5300 | Houston, TX 77002
713.650.8805 main | 713.751.5281 direct | 713.750.0903 fax
ewulfsberg@gibbsbruns.com | www.gibbsbruns.com

This email message and any attachments are for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure, copying or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message and any attachments.

To reply to our email administrator directly, send an email to nrfus.postmaster@nortonrosefulbright.com.

Norton Rose Fulbright US LLP, Norton Rose Fulbright LLP, Norton Rose Fulbright Australia, Norton Rose Fulbright Canada LLP and Norton Rose Fulbright South Africa Inc are separate legal entities and all of them are members of Norton Rose Fulbright Verein, a Swiss verein. Norton Rose Fulbright Verein helps coordinate the activities of the members but does not itself provide legal services to clients. Details of each entity, with certain regulatory information, are available at nortonrosefulbright.com.